

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO**

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Case Title: James H. Harvey and Donna S. Harvey

Case Number: 05-14132

Document Information

Description: Order Discharging Debtor Donna S. Harvey, Debtor James H. Harvey

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Filer Information

Submitted By: Conversion of Data from ACE legacy system

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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO**

CASE NO.: 7 - 05 - 14132 - SA
CHAPTER: 7

IN RE:
DEBTOR(S):
James H. Harvey , SSN xxx-xx-8415

DEBTOR(S) ADDRESS:
19 William Bonney Road
Edgewood, NM 87015

Donna S. Harvey , SSN xxx-xx-7796

**DISCHARGE OF DEBTOR(S)
IN A CHAPTER 7 CASE**

It appearing that the debtor is entitled to a discharge, IT IS ORDERED: The debtor is granted a discharge under section 727 of title 11, United States Code, (Bankruptcy Code).

Within four days of the date noted below copies of this document were mailed to the parties shown on the mailing list attached to the original of this document on file with the clerk.

BY THE COURT

James S. Starzynski
U.S. Bankruptcy Judge

Doc.No. 7-1

SEE BACK OF THIS ORDER FOR IMPORTANT INFORMATION

EXPLANATION OF BANKRUPTCY DISCHARGE IN A CHAPTER 7 CASE

This court order grants a discharge to the person(s) named as the debtor(s). It is not a dismissal of the case and it does not determine how much money, if any, the trustee will pay to creditors.

Collection of Discharged Debts Prohibited

The discharge prohibits any attempt to collect from the debtor a debt that has been discharged. For example, a creditor is not permitted to contact a debtor by mail, phone, or otherwise, to file or continue a lawsuit, to attach wages or other property, or to take any other action to collect a discharged debt from the debtor. *[In a case involving community property:* There are also special rules that protect certain community property owned by the debtor's spouse, even if that spouse did not file a bankruptcy case.] A creditor who violates this order can be required to pay damages and attorney's fees to the debtor.

However, a creditor may have the right to enforce a valid lien, such as a mortgage or security interest, against the debtor's property after the bankruptcy, if that lien was not avoided or eliminated in the bankruptcy case. Also, a debtor may voluntarily pay any debt that has been discharged.

Debts that are Discharged

The chapter 7 discharge order eliminates a debtor's legal obligation to pay a debt that is discharged. Most, but not all, types of debts are discharged if the debts existed on the date the bankruptcy case was filed. (If this case was begun under a different chapter of the Bankruptcy Code and converted to chapter 7, the discharge applies to debts owed when the bankruptcy case was converted.)

Debts that are Not Discharged

Some common types of debts which are not discharged in a chapter 7 bankruptcy case are:

- a. Debts for most taxes;
- b. Debts that are in the nature of alimony, maintenance, or support;
- c. Debts for most student loans;
- d. Debts for most fines, penalties, forfeitures, or criminal restitution obligations;
- e. Debts for personal injuries or death caused by the debtor's operation of a motor vehicle while intoxicated;
- f. Some debts which were not properly listed by the debtor;
- g. Debts that the bankruptcy court specifically has decided or will decide in this bankruptcy case are not discharged;
- h. Debts for which the debtor has given up the discharge protections by signing a reaffirmation agreement in compliance with the Bankruptcy Code requirements for reaffirmation of debts.

This information is only a general summary of the bankruptcy discharge. There are exceptions to these general rules. Because the law is complicated, you may want to consult an attorney to determine the exact effect of the discharge in this case.

Enterprise Systems Incorporated
11487 Sunset Hills Road
Reston, Virginia 20190-5234

CERTIFICATE OF SERVICE

District/off: 1084-1
Case: 05-14132

User: root
Form ID: 187

Page 1 of 1
Total Served: 35

Date Rcvd: Aug 29, 2005

The following entities were served by first class mail on Aug 31, 2005.

db +Harvey, James H., 19 William Bonney Road, Edgewood, NM 87015-8261
aty Griffith, Harry G W, 4300 Carlisle Blvd NE Ste 5, Albuquerque, NM 87107-4827
db +Harvey, Donna S., 19 William Bonney Road, Edgewood, NM 87015-8261
tr Caplan, Michael J., 827 E Santa Fe Ave, Grants, NM 87020-2458
2121736 +Albuquerque Surgical Gp, 201 Cedar SE Ste 306, Albuquerque, NM 87106-4932
2121737 +Anesthesia Assoc of NM, PO Box 98, Albuquerque, NM 87103-0098
2121738 +Calvin Ridgeway, 8120 Constitution Pl NE, Albuquerque, NM 87110-7654
2121739 +Capital One, POB 650007, Dallas, TX 75265-0007
2121740 +Caremore Chiropractic, 2622 San Mateo NE, Albuquerque, NM 87110-3130
2121757 +Collectrite, PO Box 26328, Albuquerque, NM 87125-6328
2121758 +Encore, PO Box 3330, Olathe, KS 66063-3330
2121759 Ferrell & Seldin, 7000 S Yosemite ST #120, Aurora, CO 80011
2121760 +Frederick M. Mowrer, PO Box 1966, Albuquerque, NM 87103-1966
2121735 +Green Tree, PO Box 6172, Rapid City, SD 57709-6172
2121742 +Integrative Medicine, 8324 Constitution Pl NE, Albuquerque, NM 87110-7649
2121743 +Kaseman Presbyterian, PO Box 27888, Albuquerque, NM 87125-7888
2121761 +LC System Inc., PO Box 64887, Saint Paul, MN 55164-0887
2121744 +Lovelace Sandia Health, 5400 Gibson Blvd SE, Albuquerque, NM 87108-4729
2121762 +Midland Credit Mgmt, PO Box 939019, San Diego, CA 92193-9019
2121745 +NM Neurology Assoc., 500 Walter NE #306, Albuquerque, NM 87102-2562
2121734 NM Taxation & Revenue Department, PO Box 8575, Albuquerque, New Mexico 87198-8575
2121746 Northland Heights Med, PO Box 2555, Albuquerque, NM 87125
2121747 +Physician Group Sandia, PO Box 25266, Albuquerque, NM 87125-0266
2121748 +Precision RX, PO Box 961025, Fort Worth, TX 76161-0025
2121749 +Presbyterian, 1801 Randolph SE, Albuquerque, NM 87106-4230
2121750 +Providian, POB 660548, Dallas, TX 75266-0548
2121751 +Radiology Assoc of Alb, PO Box 3130, Albuquerque, NM 87190-3130
2121753 +SED Medical Laboratories, 5601 Office Blvd NE, Albuquerque, NM 87109-5816
2121752 +Sandia Health Sys, PO Box 25555, Albuquerque, NM 87125-0555
2121754 +St. Joseph Healthcare, PO Box 25555, Albuquerque, NM 87125-0555
2121755 +UNM Health Sciences Ctr, PO Box 369, Albuquerque, NM 87103-0369
2121756 UNM Physician Assoc, PO Box 27200, Edgewood, NM 87015
2121763 +United Collection, 5620 Southwyck Blvd #206, Toledo, OH 43614-1501
2121733 United States Trustee, PO Box 608, Albuquerque, NM 87103-0608

The following entities were served by electronic transmission on Aug 30, 2005 and receipt of the transmission was confirmed on:

2121741 +E-mail: mrdiscen@discoverfinancial.com Aug 30 2005 06:46:17 Discover, PO Box 3012,
New Albany, OH 43054-3012

TOTAL: 1

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have served the attached document on the above listed entities in the manner shown, and prepared the Certificate of Service and that it is true and correct to the best of my information and belief.

First Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 31, 2005

Signature:

